

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

GILBERTO AGUILAR-BELTRAN,

Defendant.

8:21-CR-223

**PRELIMINARY ORDER OF
FORFEITURE**

This matter is before the Court upon the Government's forfeiture allegation in the Superseding Indictment. [Filing 56 at 2–3](#). The Court has reviewed the record in this case and, being duly advised in the premises, finds as follows:

1. On July 27, 2023, defendant Gilberto Aguilar-Beltran was found guilty after a jury trial on Counts I and II of the Superseding Indictment: conspiracy to distribute and possess with intent to distribute 500 grams or more of a mixture or substance containing methamphetamine, in violation of [21 U.S.C. §§ 841\(a\)\(1\)](#), 846; and possession with intent to distribute 500 grams or more of a mixture or substance containing methamphetamine, in violation of [21 U.S.C. 841\(a\)\(1\)](#), (b)(1). [Filing 92 \(Text Minute Entry\)](#).
2. Both parties stipulated at trial to the Court ruling on the issue of criminal forfeiture should defendant Aguilar-Beltran be found guilty at trial.
3. On February 1, 2023, the Court entered a Memorandum and Order on Criminal Forfeiture finding that \$6,640.00 in United States currency seized from 3015 South 38th Street, Omaha, Nebraska, on or about July 15, 2021, was subject to forfeiture as property constituting, or derived from, any proceeds defendant Aguilar-Beltran obtained, directly or indirectly, from his offenses. [21 U.S.C. § 853\(a\)\(1\)](#).

4. As a result of the Court's finding, defendant Aguilar-Beltran's interest in the \$6,640.00 in United States currency is forfeited to the United States. [21 U.S.C. § 853](#).
5. The United States is entitled to possession of the \$6,640.00 in United States currency. [21 U.S.C. § 853](#). Accordingly,

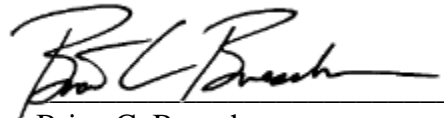
IT IS ORDERED:

1. Defendant Aguilar-Beltran's interest in the \$6,640.00 in United States currency seized from 3015 South 38th Street, Omaha, Nebraska, on or about July 15, 2021, is forfeited to the United States;
2. Based on the Court's findings in its Memorandum and Order on Criminal Forfeiture, the Government is hereby authorized to seize the forfeited property;
3. Defendant Aguilar-Beltran's interest in the \$6,640.00 in United States currency is hereby forfeited to the Government for disposition in accordance with law, subject to the provisions of [21 U.S.C. § 853\(n\)\(1\)](#);
4. The forfeited property is to be held by the Government in its secure custody and control;
5. Pursuant to [21 U.S.C. § 853\(n\)\(1\)](#), the Government shall publish for at least thirty consecutive days on an official internet government forfeiture site, www.forfeiture.gov, notice of the Preliminary Order of Forfeiture, notice of publication evidencing the government's intent to dispose of the property delineated above in such a manner as the Attorney General may direct, and notice that any person, other than defendant Aguilar-Beltran, having or claiming a legal interest in any of the forfeited property must file a Petition with the Court within thirty days of the final publication of notice or of receipt of actual notice, whichever is earlier;

6. The published notice shall state the Petition referred to in Paragraph 5, above, shall be for a hearing to adjudicate the validity of the Petitioner's interest in the property delineated above, shall be signed by the Petitioner under penalty of perjury, and shall set forth the nature and extent of the Petitioner's right, title, or interest in the property and any additional facts supporting the Petitioner's claim and the relief sought;
7. The Government may also, to the extent practicable, provide direct written notice to any person known to have an interest in the currency as a substitute for published notice as to those persons so notified; and
8. Upon adjudication of all third-party interests, this Court will enter a Final Order of Forfeiture pursuant to [21 U.S.C. § 853\(n\)](#), in which all interests will be addressed.

Dated this 1st day of February, 2023.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Brian C. Buescher", written over a horizontal line.

Brian C. Buescher
United States District Judge